

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

PLAINVILLE GENERATING CO., LLC,)
)
 Plaintiff,)
)
 vs.)
)
 DTE BIOMASS ENERGY, INC. and)
 PLAINVILLE GAS PRODUCERS, INC.,)
)
 Defendants.)

Case No. 05-11210-GAO

DEFENDANTS' CERTIFICATION PURSUANT TO LOCAL RULE 16.1(D)(3)

Defendants DTE Biomass Energy, Inc. and Plainville Gas Producers, Inc., and their counsel hereby certify, in accordance with the provisions of Local Rule 16.1(D)(3), as follows: Defendants and their counsel have conferred: (a) with a view to establishing a budget for the cost of conducting a full-course — and various alternative courses — of this litigation; and (b) to consider the resolution of this litigation through the use of alternative dispute resolution programs such as those outlined in Local Rule 16.4.

Date: October 14, 2005.

Respectfully submitted,

DTE BIOMASS ENERGY, INC. and
PLAINVILLE GAS PRODUCERS, INC.

By: /s/ David R.. Joest

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